

# **LOUISIANA DEPARTMENT OF WILDLIFE & FISHERIES**

OFFICE OF FISHERIES  
INLAND FISHERIES DIVISION

VEGETATION CONTROL PLAN

**John K. Kelly**  
**Grand Bayou Reservoir**



Prepared by:  
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LDWF Inland Fisheries  
District 10  
February 4, 2013

1. Waterbody type – Upland reservoir.
2. Age and condition of control structure (if applicable) – Dam and spillway completed in 1994. Spillway gates closed in 1996. Pool stage reached in August 1996. Condition- excellent.
3. Type of control structure - Earthen dam, 5700' long with a 350' concrete spillway.
4. Water level range (MSL) – Pool stage – 138.5' MSL. High – 138.5' MSL. Low - 115.0' MSL.
5. Surface area range – At pool stage – 2,500 acres; High stage – 2,500 acres; Low stage – approximately 50 acres.
6. Average depth – At pool stage – 9 feet.
7. Watershed ratio – 34:1
8. Drawdown potential of structure – Structure capable of lowering the lake to 115' MSL which is 23.5' below pool stage. Water level reduction at a rate of one foot per 24 hours is possible. Drawdown capability limited to 7 feet by presence of a potable water intake operated by the Fairview-Union water system. The water system serves approximately 1,800 people in the Coushatta area in addition to a large public school and the employees of the Weyerhaeuser Paper Mill.
9. Waterbody Board or Lake Commission –
  - a. Authority-John K. Kelly Grand Bayou Reservoir District (Board), a board of seven commissioners established by Acts 1958, No. 474; Acts 1989, No. 176; Acts 1993, No. 120 as described in R.S. 38:2701 to 38:2717 (SEE APPENDIX I). Board members are appointed by the governor and serve a five year term. Board members must be a qualified elector of Red River Parish residing within and owning property within the district.

<b>Name</b>	<b>Term</b>	<b>Length of Service</b>
Urson Bacle	11/13/08-11/12/13	2 year
James Dickerson	02/26/10 -3/18/14	1 year
Anita Hinds	11/13/08-11/12/13	2 years
Blake McCartney	11/25/08-11/24/13	2 years
Peggy McCoy	10/6/09 -10/05/14	1 year
Claude Veatch	09/28/07-09/27/12	8 years
Mary Wiggins	07/31/09-07/30/14	1 year

- b. Contact information - 5286 Hwy 784, Coushatta, LA 71019.  
<https://wwwprd.doa.louisiana.gov/boardsandcommissions/viewBoard.cfm?board=291>
- c. Procedure for spillway openings – The Board considers drawdown recommendations from the Louisiana Department of Wildlife and Fisheries (LDWF) or other entities. The Board presents a resolution in favor of a drawdown to the Secretary of LDWF. Upon approval by the Secretary, the request is forwarded to Louisiana Department of Transportation and Development (DOTD), with specifics of gate operation, including dates for gate opening and closing and the target drawdown level.

DRAWDOWN HISTORY				
Gates Opened	Gates Closed	Purpose	Results	Issues
09/12/06	01/31/07	Hydrilla control	Good	Drawdown exceeded 8 foot target by ½ foot due to drought. Potable water intake experienced cavitation.
08/15/07	01/31/08	Hydrilla control	Good	None
09/02/08	01/31/09	Hydrilla control	Good	None

What significant stakeholders use the lake?

Anglers and recreational water sports participants are the primary user groups of this waterbody. Some shoreline property owners utilize lake water for irrigation of lawns. One potable water intake is located at the dam site. The intake is operated by the Fairview-Union water system.

What are their needs and concerns?

The Board, the Fairview-Union water system and shoreline property owners are concerned with maintaining low vegetative coverage. Additionally, the Fairview-Union water requires a water level of at least 131.0 MSL to prevent cavitation at their water intake.

What is the history of aquatic vegetation complaints?

In 2006, the board of commissioners expressed concerns with hydrilla coverage in the lake. Those concerns led to the initiation of drawdown measures.

Have there been any controversial issues on the lake?

Hydrilla coverage of up to 30% in 2006, and the proposed control measures (three consecutive drawdowns) for that hydrilla crop has been the only controversial issue on the lake to date. The Board, along with many anglers and shoreline property owners, supported the drawdown measures. The three drawdowns proved effective in reducing the coverage of hydrilla in the lake. The Fairview-Union water system experienced some cavitation at their water intake when drought conditions lowered the lake level to 8 ½ feet below pool stage in 2006. A representative of the water system stated that future drawdowns should be limited to 7 ½ feet to avoid such cavitation.

## Aquatic Vegetation Status:

Problematic plant species status as of January 1, 2013:

Giant salvinia – Coverage was minimal, scattered and confined to areas protected from wind and wave action. Total infestation was approximately 5 acres.

Hydrilla – Coverage was marginal in isolated patches of water with depths ranging from 3 to

6 feet. Total coverage of hydrilla was 400 acres.

Water hyacinth – No water hyacinth present.

Alligator weed – Coverage by this species was minimal, with 5 acres estimated.

Yellow nutsedge – This plant was found growing in much of the shoreline area. Total coverage by this species was approximately 70 acres.

Expectations for 2013: It is expected that hydrilla will increase in coverage during the year. Hydrilla is likely to cause problems in key recreational areas such as the boat launch, pavilion and swimming area. Based upon past experience, giant salvinia is not expected to be problematic at this lake.

### **Limitations:**

No water quality or timber limitations affecting vegetation control measures exist on this lake.

Shoreline development in the form of residential homes and resort properties constitute some limitations for foliar herbicide applications.

Drawdown capability is limited to 7 ½ feet below pool stage due to the presence of a potable water intake. The use of certain herbicides within ½ mile of the potable water intake may be limited.

## Past Control Measures:

With the exception of the previously discussed drawdowns, foliar herbicide application has been the primary method of vegetation control at Grand Bayou. A table of herbicide treatment history is given below.

Treatment Year	Chemical	Vegetation	Acres Treated	Rate
1999			1.0	
2000			3.0	
2003			10.0	
			3.0	
2004			3.0	
2005	2, 4-D	Water Hyacinth	9	0.5 gal./Acre
	2, 4-D	Water Shield	13	0.5 gal./Acre
2006			1.5	
2008	Aquamaster	Alligator Weed	7	0.75 gal./Acre
	Aquaneat	Alligator Weed	6	0.86 gal./Acre
	Aquastar	Alligator Weed, Cutgrass, Fanwort, Primrose, Giant Salvinia, Water Hyacinth	118	0.76 gal./Acre
2009	Aquamaster	Alligator Weed, Primrose, Giant Salvinia, Water Hyacinth, cattail, Smartweed	264	0.98 gal./Acre
	Diquat	Giant Salvinia, Water Hyacinth, Cutgrass, Alligator Weed, Primrose, Rush ssp.	93	1.0 gal./Acre
2010	Aquamaster	Alligator Weed, American Lotus, Primrose	47	0.75 gal./Acre
	Aquathol Super K	Hydrilla, Coontail, Fanwort	60	13.33 lbs./Acre
	Diquat	Rush ssp., Alligator Weed, Primrose, Cutgrass, Giant Salvinia, Cattail	68	1.0 gal./Acre
2011	Aquamaster	Alligator Weed, Giant Salvinia, Water Hyacinth	40	0.75 gal./Acre
	Diquat	Giant Salvinia	90.77	0.75 gal./Acre
	Aquathol Super K	Hydrilla	17.04 Acre feet	17.6 pounds/Acre foot
2012	Aquamaster	Alligator Weed, Giant Salvinia, Torpedo Grass	201	0.75 gal./Acre
	Diquat	Giant Salvinia	562	0.75 gal./Acre
	Ecomazapyr 2SL	Alligator Weed, Giant Salvinia	80	0.75 gal./Acre

To date, no biological control measures have been implemented.

During 2012, foliar herbicide applications continued. Spray crews routinely visited the lake under instructions to locate and treat giant salvinia as possible. This method has been successful in limiting the coverage of giant salvinia at Grand Bayou. This approach will be used until such time that it fails to restrict giant salvinia to minimal levels.

## **Type Map Sampling History**

Type map surveys were conducted in 1998, 1999, 2000, 2001, 2005, 2006, 2007, 2008, 2009 and 2011 on Grand Bayou Reservoir.

## **Recommendations:**

Current recommendations are to continue foliar herbicide applications for control of giant salvinia. District spray crews will visit Grand Bayou at least once every other week to assess the need for such applications. Giant salvinia will be treated by foliar applications of a mix of glyphosate (0.75 gal/acre) and diquat (0.25 gal/acre) with Aqua King Plus (0.25 gal/acre) and Thoroughbred surfactants (8 oz/acre) from April 1 to October 31. Outside of that time period, diquat at a rate of 0.75 gallons per acre will be used with 0.25 gallons per acre of a non ionic surfactant. Water hyacinth will be treated with foliar applications of 2,4-D at a rate of 0.5 gallons per acre. Other vegetation, such as emergent species along the shoreline, will be treated as staff sees fit or in response to complaints from waterbody users. Emergent vegetation will be treated with foliar applications of glyphosate at a rate of 0.75 gallons per acre. A non-ionic surfactant will be added to all foliar herbicide treatments at a rate of 0.25 gallons per acre.

The current low level of coverage by giant salvinia at Grand Bayou Reservoir coupled with the primarily open water habitat of the lake does not warrant biological control measures for the plant at this time.

Hydrilla control efforts will consist of both chemical and physical methods. For the year 2013, chemical treatments will be applied to critical areas such as boat ramps and for bank angler access. Chemical treatments will be made with 4.0 ppm of Aquathol Super-K. These treatments will be made in response to requests for such treatments by the Board. Chemical treatments are not recommended for large-scale or long-term control of submerged aquatic vegetation at Grand Bayou Reservoir. The cost for such control is prohibitive and control of hydrilla by chemical treatment is short-lived.

Biological control measures for long-term control of hydrilla should be considered for Grand Bayou Reservoir. Triploid grass carp (TGC) are sterile and could be used to offset or replace the expensive and prolonged chemical treatments required for hydrilla control. TGC have not been used in Grand Bayou due to concerns of escapement and over control of vegetation. LDWF should now begin discussions of the use of TGC with the lake commission with intent to implement such measures in the winter of 2013.

With the exception of aquatic vegetation, Grand Bayou Reservoir is lacking in the habitat complexity required by sportfish species. Therefore, total elimination of submerged aquatic vegetation is not desirable for this waterbody. Instead, control of submerged aquatic vegetation to a level that will allow reasonable user access is recommended. To reduce potential for excessive submerged vegetation removal by TGC, incremental stockings over a period of several years would be necessary. The first stocking of TGC in Grand Bayou

Reservoir should be conducted at a rate of 2 fish per acre of submerged aquatic vegetation in winter 2013. TGC used for this stocking should be a minimum of twelve inches in length to reduce predation by the existing predatory fish population.

Drawdown measures should be initiated when hydrilla coverage exceeds 40% (1,000 acres) of total waterbody surface acreage. The recommended drawdown period is September 1 to January 31 of the following year. Drawdown rate should be 4 inches per day with a target level of 131' MSL. It is recommended that the lake be drawn down for a minimum of two, and a maximum of three consecutive years to achieve satisfactory reduction of hydrilla plants and tubers.

Surveys will be made in the fall season of 2013 to determine the status of aquatic vegetation in the lake. Recommendations relative to aquatic vegetation control will be reevaluated at the conclusion of the survey period.

## Typemap

### Grand Bayou Reservoir Aquatic Vegetation Typemap November 14, 2011

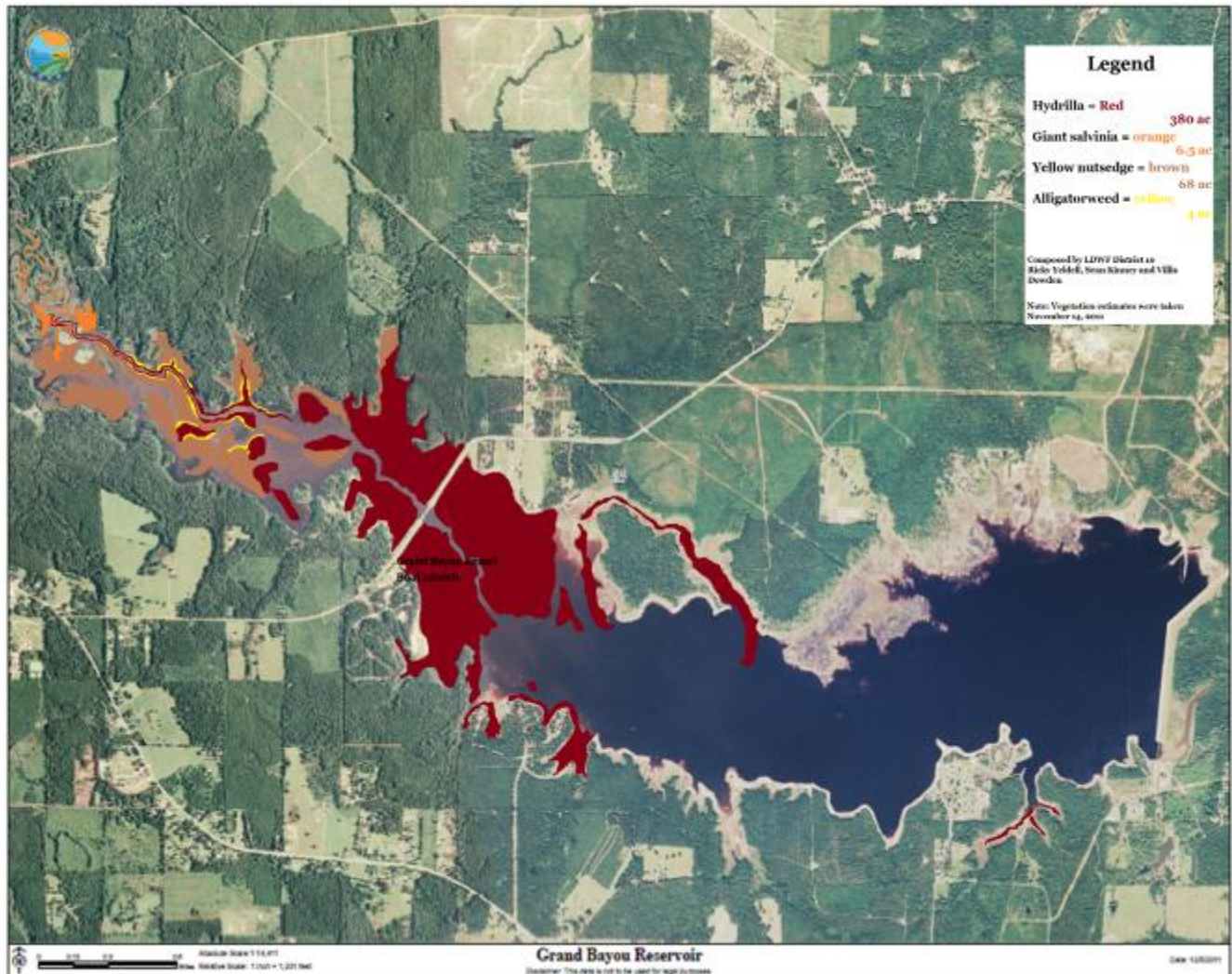


Figure 1. Typemap resulting from vegetation survey conducted on November 14, 2011 at Grand Bayou Reservoir, Red River Parish, Louisiana.



## **Appendix I**

### **Louisiana Revised Statutes Relative to Grand Bayou Reservoir**

#### **RS 38:2701**

##### **PART V. JOHN K. KELLY GRAND BAYOU RESERVOIR DISTRICT**

##### **§2701. Creation**

There is hereby created a recreation and water conservation district to be known as the "John K. Kelly Grand Bayou Reservoir District".

Acts 1958, No. 474, §1; Acts 1989, No. 176, §1; Acts 1993, No. 120, §1.

#### **RS 38:2702**

##### **2702. Location**

The area comprising all of Red River Parish shall be the boundary of the district.

Acts 1958, No. 474, §2; Acts 1989, No. 176, §1.

#### **RS 38:2703**

##### **2703. District as political subdivision and body corporate; purpose and powers**

A. The district so created shall be a political subdivision and budgetary unit of the state of Louisiana which shall have for its purpose the development of the wealth and natural resources of the district by the conservation of soil and water for agricultural, recreational, commercial, industrial, and sanitary purposes.

B. It shall constitute a body corporate in law with all powers, rights, privileges, and immunities of a corporation. It shall have the power to sue and be sued, to buy and sell, to levy taxes, to negotiate and execute contracts, and to incur debts and issue negotiable bonds in payment thereof under and in accordance with existing laws. It shall have the authority to acquire by purchase, donation, expropriation, or otherwise every type and specie of property, including servitudes and rights of use, necessary to its purpose, and to lease, build, operate, and maintain any works or machinery designed to accomplish the purposes of the district.

C. It shall have complete control over the supply of fresh water made available by its facilities which shall be administered for the benefit of the persons residing or owning property within the district, and if it should be for the benefit of the district it shall have the authority to sell such water for irrigation, municipal, and industrial uses both within and outside the district.

D. The district shall constitute an agency of the state of Louisiana designed to carry out an essential governmental function of the state, all of the property of which district shall be exempt for taxation. It shall have the authority to cooperate and contract with the government of the United States or any department or agency thereof and to accept grants and donations of property and money therefrom. It shall have the authority to cooperate with the state of Louisiana or any political subdivision, department, agency, or corporation of said state for the construction, operation, and maintenance of facilities designed to accomplish the purpose for which the district is created on any basis including the matching of funds and by participating in projects authorized by any federal or state law as it shall see fit.

Acts 1958, No. 474, §3; Acts 1989, No. 176, §1.

**RS 38:2704**

2704. Board of commissioners, appointment; tenure; vacancies; compensation

A. The district shall be governed and controlled by a board of seven commissioners, each of whom shall be a qualified elector of Red River Parish residing within and owning property within the district. The members of the board of commissioners shall be appointed by the governor for a five year term. Any vacancy in the office of commissioner due to death, resignation, or any other cause shall be filled by the governor for the unexpired term.

B. Members of the board of commissioners shall receive no compensation for their services. The board shall be domiciled at Coushatta, Louisiana.

C. Each appointment by the governor shall be submitted to the Senate for confirmation.

Added by Acts 1958, No. 474, §4; Amended by Acts 1966, No. 448, §4; Acts 1985, No. 834, §1, eff. July 23, 1985; Acts 1989, No. 176, §1; Acts 1990, No. 146, §1.

**RS 38:2705**

2705. Oaths

Before entering upon his official duties each member of the board of commissioners shall take an oath before an officer authorized by law to administer an oath that he will faithfully, honestly, and impartially perform his duties.

Acts 1958, No. 474, §5; Acts 1989, No. 176, §1.

**RS 38:2706**

2706. Election of officers; record book

Immediately after the members of the board of commissioners have been appointed by the governor, or as soon as thereafter is practicable, they shall meet and organize by electing from their number a president, vice-president, and secretary who shall perform the duties normally required of such officers. The said board shall also select the name by which the district and any lake in the district is to be known and cause it to be recorded in a bound book which shall also be the depository of the minutes and proceedings of the board, certificates, oaths of commissioners, and any and all corporate acts of the board. This book shall be in the custody of the secretary of the board and shall be open for public inspection at all reasonable times.

Acts 1958, No. 474, §6; Acts 1989, No. 176, §1.

**RS 38:2707**

2707. Powers of the board

In order to accomplish the purposes for which the district is created, the board of commissioners may:

(1) Purchase, hold, sell, and convey immovable and movable property and execute such contracts as it may deem necessary or convenient to enable it properly to carry out the purposes for which it is created.

(2) Acquire servitudes and rights of use by purchase, by expropriation, and by assignment for the reservoir or recreational areas or otherwise.

(3) Assist in conserving soil and water and in developing the water resources of the district; provided, however, nothing shall be done to interfere with districts or municipalities previously organized under Louisiana law.

- (4) Cooperate with the state Department of Transportation and Development and other state agencies in the maintenance or improvement and the construction of any works or improvements for the control, retention, diversion, or utilization of water; retard runoff of water and soil erosion, construct any ditch, channel improvement, dike, dam, or levee, and repair, improve, and maintain any of said improvements or structure.
- (5) Acquire movable property by donation or purchase; and employ and hire a secretary and other such personnel as may be necessary in the operation of the business of the district, and fix their compensation; and the commission is further authorized to employ engineers, attorneys, and other professional personnel as the need becomes necessary and fix their compensation.
- (6) Levy taxes, issue bonds, and incur indebtedness within the limitations prescribed by the Constitution of Louisiana, and in the manner prescribed thereby.
- (7) Cooperate and contract with persons, firms, associations, partnerships, private corporations, cities of this state, or other public corporations, and with any other local, state, and governmental agencies for the sale or use of any waters impounded hereby.
- (8) Select a domicile and home office for the district.
- (9) Grant franchises to telephone, telegraph, and electric power companies and grant franchises for the purposes of laying gas, water, sewer, electric light or other utilities to supply the inhabitants or any person or corporation with gas, water, sewerage, light, when such construction is within the reservoir, the surcharge area, being that property between the 138.5 contour line and the 147.5 contour line or 1/4th of a mile extending perpendicular to the 138.5 contour line.
- (10) REPEALED BY ACTS 1993, NO. 830, §2.
- (11) Appoint, hire, designate, and empower wardens, rangers, patrols, and such other personnel as may be deemed necessary by the commission for the enforcement of such regulations as may be promulgated and adopted by the said commission.
- (12) The district shall have, with respect to the improvements and maintenance of the district, the advice of the Department of Transportation and Development, and it shall request from time to time the assistance of the department to make such surveys, inspections, and investigations, render such reports, estimates, and recommendations, and furnish such plans and specifications as the board of commissioners of the said district may request from time to time.
- (13) The district is hereby authorized to incur debt for any one or more of its lawful purposes, to issue in its name negotiable bonds or certificates of indebtedness evidencing such debt, and to provide for the security and payment thereof as follows:
- (a) To issue certificates of indebtedness maturing within one year from date of issuance to evidence money borrowed in anticipation of current revenues for the administration, operation, construction, and maintenance costs and expenses of the district, which certificates shall be payable in principal and interest from any available income, revenues, fees, or taxes pledged to their payment by the district.
- (b) To issue bonds substantially in the manner set forth in Article VI of the Constitution of Louisiana, and other authority supplemental thereto, particularly Part III of Chapter 4 of Title 39 of the Louisiana Revised Statutes of 1950. Such bonds shall be payable from an ad valorem tax on all taxable property in the district sufficient to pay such bonds in principal and interest, when approved by vote of a majority in number of the qualified electors voting on the proposition at an election held for that purpose in accordance with Part II of said Chapter 4, Title 39. Such bonds be that prescribed by such law. The bonds shall be issued in such amount or amounts as the board of commissioners shall determine; provided, however, the principal amount of all such bonds outstanding as of the date of the issuance of any new bonds shall never exceed ten per cent

of the assessed valuation of the taxable property within the district, to be ascertained by the last assessment roll of record in the Parish of Red River.

(14) The district shall have additional authority to levy taxes under the provisions of Article VI, Section 32 of the Constitution of Louisiana, for the purpose of improving, operating and maintaining its facilities, providing any such tax shall first be approved at an election held for said purposes in accordance with Part II of Chapter 4 of Title 39 of the Louisiana Revised Statutes of 1950, as amended.

(15) The copy of any resolution levying a tax, certified by the secretary of the board of commissioners of said district, shall be transmitted to the tax assessor of the parish on or before May first of the year in which the tax is to be assessed and collected, and it shall be the duty of the assessor to assess the tax and extend the same upon the tax rolls of the parish. The tax shall be collected by the sheriff and ex officio tax collector of the parish in the same manner as taxes levied by the state. The tax collector shall make settlement for taxes so collected with the state treasurer for the account of the respective district, and the funds so derived shall be withdrawn upon the warrant of the secretary of the board of commissioners of the reservoir district countersigned by the president of said commission. Taxes assessed shall constitute the same liens upon the property assessed; shall bear the same penalties; and collection thereof shall be enforced in the same manner and at the same time as state and parish taxes.

(16) The parish shall not be entitled to reimbursement out of the property tax relief fund for any sums which may be lost to it occasioned by any homestead exemption which may be applicable to any property within the parish with respect to any tax levied under the authority of this part, as amended.

Acts 1989, No. 176, §1; Acts 1993, No. 120, §1; Acts 1993, No. 830, §2.

## **RS 38:2708**

### **2708. Rules and Regulations**

In order to accomplish the purposes of the district to protect the works, improvements, and property of the district, both immovable and movable; to secure the best results from the construction, operation, and maintenance thereof, and to prevent damage to the district by misuse of any works, improvements, or properties or by the pollution by solid or liquid or substance or misuse of the waters of the district or any water course therein, the board of commissioners may make and enforce such rules and regulations as it shall deem necessary and advisable:

(1) To protect and preserve the works, improvements, and properties owned or controlled by the district, prescribe the manner of their use by public corporations and persons, and preserve order within and adjacent thereto.

(2) To prescribe the manner of building bridges, roads, fences, including fences for the control of livestock or other works in, along, or across any channel or extending into the reservoir.

(3) To prescribe the manner in which natural or artificial drains, ditches, sewers, pipelines, or other works shall be adjusted to or connected with the works of the district or any water course therein and the manner in which the water courses of the district may be used for sewer outlets for disposal of waste.

(4) To prescribe the permissible uses of the water supply, provided by the impoundments constructed, and to prevent the pollution or unnecessary waste of such water supply.

(5) To prohibit or regulate the discharge into sewers of the district of any liquid or solid waste deemed detrimental to the works and improvements of the district.

(6), (7) REPEALED BY ACTS 1993, NO. 830, §2.

Acts 1958, No. 474, §8; Acts 1989, No. 176, §1; Acts 1993, No. 830, §2.

**RS 38:2709**

2709. Construction which would impede flow of water in reservoir prohibited; pollution defined and prohibited; penalties fixed for violations

A.(1) No person or public corporation shall erect within the drainage area of the district any dam or reservoir upon any stream or water course which will affect the proposed lake until a copy of the plans thereof has been filed with the board of commissioners for approval.

(2) Whoever violates this Subsection shall be fined not less than five hundred dollars or more than one thousand dollars or imprisoned for not more than sixty days, or both.

B.(1) No person shall knowingly and willfully empty or drain into, or permit to be drained from any pumps, reservoirs, wells, or oil fields into any stream or drain constituting the watershed of the proposed lake or from any stream within said district into the said reservoir any oil, salt water, or other noxious or poisonous gases or substances which would render the water unfit for irrigation purposes or would destroy aquatic and fish life in the streams.

(2) Each and every day that oil, salt water, or other substances are permitted to flow into natural streams or drains which constitute the watershed of the proposed lake shall constitute a separate and distinct offense.

(3) Whoever violates this Subsection shall be fined not less than one hundred dollars or more than two hundred dollars or imprisoned for not more than three months.

C.(1) No person shall:

(a) Obstruct drainage channels which compose any drain or stream flowing into the proposed lake by bridging them except in accordance with plans, specifications, and instructions prescribed by the board of commissioners of the district.

(b) Construct dams, locks, or gates in drainage channels of the said watershed of the proposed lake without permission of the commission.

(c) Anchor rafts, crafts, fish traps, fish cars, and other obstacles in the channel of any stream, drain, or natural flow of the feeder streams of the watershed of the proposed lake.

(d) Drain into channels by natural or artificial inlets except under regulations prescribed by the board of commissioners.

(e) Float timber in the watershed of the proposed lake.

(f) Use the channels for transportation or navigation except under authority of and agreement with the board of commissioners.

(g) In any manner obstruct drainage channels, natural flow drains, or natural flowage or violate any of the rules or regulations adopted and promulgated by the board of commissioners for preserving and maintaining the efficiency of the drainage channels in the district.

(2) Whoever violates this Subsection shall be fined not less than two hundred and fifty dollars or more than five hundred dollars or imprisoned for not more than sixty days, or both.

D.(1) No proprietor, owner, lessee, or possessor of land abutting upon the reservoir of the proposed lake or upon any public road paralleling the water line or contiguous to the reservoir of the proposed lake shall in any manner close or place any obstruction in the drains or ditches, whether on private property or on the public road or levee adjacent to the road which will in any manner interfere with the effective, thorough, and continuous drainage into the reservoir.

(2) Whoever violates this Subsection shall be fined not less than two hundred and fifty dollars nor more than five hundred dollars or imprisoned for more than sixty days, or both.

(3) The sheriff of the parish, in addition to his other duties is charged with the responsibility of aiding and assisting the commission or its employees or agents in the enforcement of all rules and regulations adopted in accordance herewith.

E. The district attorney of the judicial district within which the reservoir district is situated is hereby designated as the proper official for the prosecution of all violations of the rules and regulations adopted by the said commission in pursuance hereto.

Acts 1989, No. 176, §1.

### **RS 38:2710**

2710. Supervision by Department of Transportation and Development

All of the powers and duties relative to construction and letting of contracts for construction required to be advertised by R.S. 38:2211 and 2212 conferred upon the district shall be subject to and exercised under the supervisory control of the Department of Transportation and Development of the state of Louisiana, which department shall furnish to the district such engineering services as it shall require and may cooperate with the district in the construction of any work or facility considered necessary by the district and said department to the purposes of the district.

Acts 1989, No. 176, §1.

### **RS 38:2711**

2711. Contracts let by board; bond

At the discretion of the Commission, any and all contracts of the district may be let by the board of commissioners, with advertisement, on the terms and subject to the conditions which it may fix in the ordinance or advertisement calling for bids. The person or firm to whom any contract is awarded shall furnish, within the delay fixed by the board, a bond of a surety company authorized to do business in the state of Louisiana, in the amount required by the laws relating to contracts for public works, and conditioned that the work shall be performed in accordance with the plans and specifications of the engineers, and the terms of the contract, and the board shall demand any other bonds and obligations which the laws relating to public works contracts required the contractor to give. However, the provisions for advertising and procuring bond may be dispensed with by the commission so long as said actions comply with Louisiana law.

Acts 1989, No. 176, §1.

### **RS 38:2712**

2712. Mineral rights

Whenever it shall become necessary for the district or the Department of Transportation and Development, to acquire full ownership of any land for the purpose of constructing any work or facility within the district, the owner thereof in his own behalf or in behalf of his assigns in the event of a prior assignment may retain the mineral rights to such property together with the right to grant mineral leases and servitudes thereon. No form of prescription shall divest such owner or his assigns of these rights so long as the district, the department, or some other department or agency of the state retains the ownership of the property, but should ownership pass into private hands, the prescription of nonuse provided by R.S. 31:27 shall apply as in the usual case.

Acts 1989, No. 176, §1.

**RS 38:2713**

2713. Tax exemption; mineral leases unabridged

Should the district or the Department of Transportation and Development acquire servitude, right of use, or title in full ownership to immovable property or any other property, such property shall not be subject to any ad valorem tax or tax of any nature by the state of Louisiana or any political subdivision thereof so long as such property is used for the purpose of the district. The provisions of this Part shall in no way abridge the right of any individual, person, firm, or corporation from whom a servitude or right of use may have been acquired to lease the land subject thereto for the production of oil, gas, or other minerals and to produce or cause to be produced oil, gas, or other minerals from such property so long as said leases are subject to the terms and conditions of the servitude executed in favor of the commission.

Acts 1989, No. 176, §1.

**RS 38:2714**

2714. Employment of attorneys

The board of commissioners may employ an attorney to represent it in any and all matters deemed necessary and may provide for the payment of his services.

Acts 1989, No. 176, §1.

**RS 38:2715**

2715. Playgrounds, parks, and other facilities; limitation

The board of commissioners shall have the power to cause to be created and constructed playgrounds, picnic grounds, grounds for recreation, parks, and any and all other facilities to accommodate the public and to provide adequate access to the proposed lake, as may within the opinion of the board become necessary, and the district shall have the right of eminent domain and expropriation in the exercise of such powers.

Acts 1989, No. 176, §1.

**RS 38:2716**

2716. Management of fish, game, and wildlife

A, B, C. REPEALED BY ACTS 1993, NO. 830, §2.

D. The board of commissioners shall have authority:

- (1) To establish and cause to be enforced rules and regulations pertaining to all commercial establishments which may be constructed for the purpose of commercializing and making commercial use of the facilities provided by the reservoir; and
- (2) To license and permit such establishments and to levy and collect a fee, to be fixed by the commission, for the privilege of making commercial use of the facilities of the lake, or to refuse to license or permit any commercial establishment to use the facilities provided by the lake.

E. The rules and regulations established and promulgated by the board of commissioners shall

provide penalties for any commercial establishment operating without a permit or license, and the rules and regulations shall be enforced by the sheriff and violations thereof prosecuted by the district attorney of the judicial district within which the reservoir district is situated, as hereinabove provided.

Acts 1989, No. 176, §1; Acts 1993, No. 830, §2.

**RS 38:2717**

**2717. Management of improvements**

A. The board of commissioners shall have the right to regulate the construction and use of all piers, docks, bridges, and other improvements built or erected on any part of the district to be inundated by the proposed lake and shall further have the right to regulate and control the erection of any improvements of any kind whatever within the area between the 138.5 contour line and the 147.5 contour line or within 1320 feet perpendicular to the 138.5 contour line, whichever distance is greater. The board of commissioners shall have the authority and power to regulate the improvements by the issuance of permits for same and fix a fee for the issuance thereof.

B. The board of commissioners may charge an annual fee for the permit to maintain improvements on or within the area between the 138.5 contour line and the 147.5 contour line or within 1320 feet perpendicular to the 138.5 contour line whichever distance is greater.

Acts 1989, No. 176, §1.